

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

2006 JUL 27 PM 4:39

CV-06-J-1468-S

U.S. DISTRICT COURT
N.D. OF ALABAMA

Inmate Identification Number: 221354

LAMARCUS PHILPOT-EL

(Enter above the full name(s) of the plaintiff(s)
in this action)

vs.

J.C. Giles, warden

COI OFFICER FLEMMONS

(Enter above full name(s) of the defendant(s)
in this action)

I. Previous lawsuits

A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes () No (✓)

B. If your answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

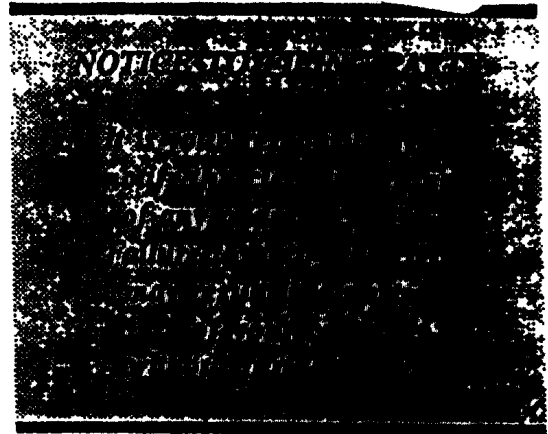
1. Parties to this previous lawsuit:

Plaintiff(s):

-NA-

Defendant(s):

-NA-



2. Court (if Federal Court, name the district; if State Court, name the county) -NA-
3. Docket number -NA-
4. Name of judge to whom case was assigned -NA-
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) -NA-
6. Approximate date of filing lawsuit -NA-
7. Approximate date of disposition -NA-

II. Place of present confinement Ventress Correctional Facility

- A. Is there a prisoner grievance procedure in this institution?
Yes () No (☒)
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
Yes (☒) No ()

C. If your answer is YES:

1. What steps did you take? I used the Administrative Regulation 207 of The Doc to complain about ill-treatment of Prisoners.
2. What was the result? Nothing; No results.

D. If your answer is NO, explain why not? _____

III. Parties

In item (A) below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) Lamaricus Philpot-EL AIS # 221354

Address Ventress Correctional Facility, P.O. Box 767,
Clayton, AL 36016

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant Mr. FLEMMONS - Mr. D. FLEMmings
is employed as COI Doc Employee
at Ventress Correctional Facility

C. Additional Defendants Mr. J. C. Giles, warden OF The
Ventress Correctional Facility

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

Attach on separate paper. (see page # 1 on The Back.)

PAGE # 1:

STATEMENT OF CLAIM #1:

FACTS:

On or about the 5th day of July, 2006, at approximately 5:56 P.M. Officer Flemmons referred to Inmate Fredrick Arrington as a, "Dick head MotherFucker." Furthermore, Officer Flemmons told inmate Fredrick Arrington to Sweep the Dormitory Floor. Inmate Fredrick Arrington told Officer Flemmons politely that the Dorm was already clean. Unfortunately, Officer Flemmons replied to Inmate Fredrick Arrington saying, "You say another word I'll slap you".

STATEMENT OF CLAIM #2:

FACTS:

On or about the 10th day of July, 2006, I, Lamarcus Philpot-EL AIS# 221354 Forwarded Warden J.C. Giles of The Ventress Correctional Facility a copy of the Complaint. To the best of my knowledge up until this present time The Warden has not attempted to reprimand the officer involved, haven't looked into this matter, Nor used Preventative measures according to the Administrative Regulation 207 And 208 to Prevent these acts From happening, or similar acts From Futurely occurring.

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Attach on seperate paper. (see page #2 on the Back.)

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on 7-18-06

Lamarc Phiept - ee #221354

Signature(s)

PAGE # 2:

RELIEF:

I, Lamarcus Philpot-EL AIS# 221354, The Plaintiff, propose that appropriate relief would be to make the Administrative Regulation 207 and 208 the official Grievance Procedure of The Alabama Department of Correction, and for it to be properly enforce. Additionally, the specific officers to be punished accordingly and appropriately following the specified Guidelines such as:

- (1-) Implementation of Administrative Regulation 208.
- (2-) Formal reprimand not limiting or excluding a seven (7) day suspension without pay.
- (3-) Psychological counseling be given. Compensation for the actions deemed inappropriate when practical.

Last, but not least, The Plaintiff ask for Immediate transfer from The Ventress Correctional Facility due to the safety of his life.